

REMARKS

The non-final Office Action dated December 10, 2007 ("Office Action") has been received and carefully considered. Claims 1-18 are pending in the application. In this response, claims 1 and 10 are amended. No new matter has been added. Applicants respectfully request reconsideration of claims 1-18 for at least the following reasons.

Anticipation Rejection of Claims 1, 5, 6, and 7 Under 35 U.S.C. 102(b)

I. On page 2 of the Office Action, claims 1, 5, 6, and 7 have been rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 606,889 to Gregory ("Gregory"). Although Applicants respectfully disagree with the propriety of the anticipation rejections proposed by the Office Action, Applicants have nonetheless amended claims 1 and 10 to clarify the claimed invention. Claim 1 recites the following:

A display system comprising:

a shelf assembly having at least a first and second side;

one or more wall mounting assemblies for mounting to a wall and comprising a slotting mechanism for removably mounting a shelf mount assembly, wherein the shelf assembly may be removed without removing a wall mount attachment mechanism from the one or more wall mounting assemblies

a shelf mount assembly for mounting to one or more wall mounting assemblies through the slotting mechanism and removably mounting the shelf assembly; and

one or more display object mounting assemblies, wherein each of the one or more display object mounting assemblies removably and rotatably mount a display object to the first side of the shelf assembly, such that the display object is rotatable about an axis for display purposes and is removable from the shelf assembly;

wherein the shelf assembly enables a person to view at least a majority of the display object from the second side of the shelf assembly (emphasis added).

To be an “anticipation” rejection under 35 U.S.C. §102, the reference must teach every feature recited in the Applicants’ claims. Applicants submit that Gregory fails to anticipate any of claims 1, 5, 6, or 7 for at least the following reasons.

Gregory fails to teach or disclose *one or more wall mounting assemblies for mounting to a wall and comprising a slotting mechanism for removably mounting a shelf mount assembly*. Gregory describes a plate A, formed with hinged lugs C and D, for mounting to a desk via screw holes B. (Gregory page 1, lines 38-45 in conjunction with Figure 1). The Office Action analogizes elements A, C, D, and strengthening rib E to the claimed *one or more wall mounting assemblies*. (Office Action at 2-3).

This analogy does not apply to the currently recited claims because (1) Gregory does not teach or suggest *a slotting mechanism for removably mounting a shelf mount assembly*, and (2) Gregory does not teach or suggest *a shelf mount assembly*. For one, Gregory does not teach or disclose a slotting mechanism. Gregory describes securing the type writer support through pins and thumb-screws. (Gregory page 1 lines 48-59 in conjunction with Figure 1). Gregory does not describe a slotting mechanism for removably mounting a shelf mount assembly.

Secondly, Gregory does not teach or disclose *a shelf mount assembly*. Claim 1 recites *a shelf mount assembly for mounting to one or more wall mounting assemblies through the slotting mechanism and removably mounting the shelf assembly*. Using the analogy from the Office Action, Gregory describes direct attachment of a shelf assembly (allegedly plate M) to the wall mounting assembly (allegedly elements A, C, D, and E). A shelf mount assembly is neither disclosed nor suggested by this description, or any other Gregory description. The claimed shelf mount assembly would be superfluous and inoperable in Gregory’s system of direct attachment between a shelf and a wall mounting assembly.

For at least these reasons, Applicants respectfully submit that claim 1 is allowable over the cited references.

Claims 5, 6, and 7 depend directly or indirectly from claim 1. These claims are allowable at least as being dependent from an allowable claim.

Obviousness Rejections of Claims 2-4 and 8-18 Under 35 U.S.C. 103

2. On page 4 of the Office Action, claims 2, 3, 10, 11, 12, 14, 15, and 16 are rejected under 35 U.S.C. 103 as being allegedly unpatentable over Gregory in view of U.S. Patent No. Des. 305,190 to Winter et al ("Winter").

Claims 2 and 3 depend from claim 1 and therefore incorporate all of the recited features. As discussed above, Gregory does not teach or suggest all of the elements of claim 1. Winter, which shows a display shelf mounted with a direct mounting attachment, was relied upon by the Examiner for the alleged teaching of a transparent material and does not cure the deficiencies of Gregory. Thus, claims 2 and 3 are neither anticipated nor rendered obvious by the combination of Gregory and Winter.

Claim 10 has been amended to recite similar features as recited in claim 1. As discussed above, Gregory is deficient with respect to these features. Winter does not cure the Gregory deficiencies. Thus, claim 10 is neither anticipated nor rendered obvious by the combination of Gregory and Winter.

Claims 11, 12, 14, 15, and 16 depend directly or indirectly from claim 10. Claims 11, 12, 14, 15, and 16 are therefore allowable at least as being dependent on an allowable claim.

3. On page 5 of the Office Action, claims 8, 9, 17, and 18 are rejected under 35 U.S.C. 103 as being allegedly unpatentable over Gregory in view of Winter, and further in view of U.S.

Patent No. 5,165,538 to Peters ("Peters"). At the outset, it should be noted that U.S. Patent No. 5,165,539 is issued to Weber et al. and describes "A Surgical Instrument Transport Tray." The correct citation for Peters is U.S. Patent No. 5,165,538.

Claims 8 and 9 depend indirectly from independent claim 1, and claims 17 and 18 depend indirectly from independent claim 10. For reasons discussed above, the combination of Gregory and Winter is deficient with respect to independent claims 1 and 10. Peters, which the Examiner cites to show a transparent object supporting portion, does not cure the deficiencies of Gregory and Winter. Thus, claims 8, 9, 17, and 18 are **neither** anticipated nor rendered obvious by the cited references.

4. On page 6 of the Office Action, claims 4 and 13 have been rejected under 35 U.S.C. 103 as being allegedly unpatentable over Gregory in view of Winter and further in view of U.S. Patent No. 6,467,745 to Sickels ("Sickels").

Claims 4 and 13 are dependent on claims 1 and 10, respectively. These claims thus incorporate all the elements of claims 1 and 10. As discussed above, the combination of Gregory and Winter fails to teach or suggest all of the elements of claims 1 and 10. Sickels is merely relied upon by the Examiner for the angular relationship of a support surface and a wall and fails to cure the deficiencies of Gregory and Winter. It follows that claims 4 and 13 are neither anticipated nor rendered obvious by the cited three-way combination of Gregory, Winter, and Sickels.

Accordingly, Applicants respectfully submit that in view of the above amendment and remarks, all of the pending claims are now allowable over the cited references and respectfully request that all of the instant rejections of claims 1-18 be withdrawn

CONCLUSION


For the reasons set forth above, it is respectfully submitted that all outstanding rejections have been overcome or rendered moot. Further, all pending claims are patentably distinguishable over the prior art of record. Accordingly, Applicants respectfully submit that these claims are in a condition for allowance. Reconsideration and allowance of all claims is respectfully requested.

If the Examiner believes that a telephone conference or interview would advance prosecution of this application in any manner, the undersigned stands ready to conduct such a conference at the convenience of the Examiner.

If there are any fees due which are not enclosed herewith, including any fees required for extension of time under 37 C.F.R. §1.136, please charge such fees to our Deposit Account No. 50-0206.

Respectfully submitted,

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